

Land and Lakes Co.

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CLAY
FHS

123 N. NORTHWEST HIGHWAY

(312) 825-5000

PARK RIDGE, ILLINOIS 60068

August 15, 1978

RECEIVED
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AUG 16 1978

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 11-15-2000 BY 1043

Mr. Edward L. Marek
Manager Region II
Illinois Environmental Protection Agency
1701 South First Street
Maywood, Illinois 60153

Re: 122nd Street and Stony Island Avenue

Dear Mr. Marek:

In response to your request for acknowledgement of your letter of August 11, and in conformity to our telephone conversation of August 14, it is stated that the property we are developing at 122nd Street is virgin land. Any water on the land itself is either from rain or run-off from adjacent properties. Land and Lakes Company to date has not dumped any refuse on the property. From the enclosed correspondence, you will note that we have had considerable problems with an adjacent property owner relative to waters entering our site.

For many years, there has been a drainage system from our property that consisted of a large pipe under Stony Island Avenue which then traveled to the west where it took its natural drainage course toward the Lake Calumet area. The Port Authority when developing land for leasing, filled in the area to the west of the pipe, blocking the natural drainage. After concentrated efforts by Land and Lakes Company and an agreement with the Port Authority, this water course was again reopened. It is also stated that Land and Lakes Company has spent considerable sums for installing a twenty-four inch concrete pipe over a great length of this easement.

There have been many meetings relative the the drainage problem in the area, and at these meetings representatives of the Metropolitan Sanitary District, the City of Chicago Environmental Control Department, the Chicago Port Authority, Interlake Steel,

Continued. . .

EPA Region 5 Records Ctr.



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Mr. Edward L. Marek
Illinois Environmental Protection Agency

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Paxton Landfill Corporation, and Land and Lakes Company have met and discussed the drainage problems. As the water presently leaves from the vicinity of the property owned or leased by Land and Lakes Company, it has been a great concern to Land and Lakes Company that the quality of this water be of such nature to meet all regulatory standards. (See enclosed correspondence.)

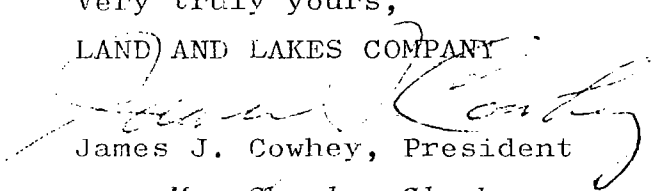
The Land and Lakes operation has been designed as to eliminate water from outside sources and to develop the site in phases so that any water of non-suitable quality can be redistributed in filled phases. It has been necessary to remove standing rain waters from the property relative to the development permit requirements and special use permits as granted by the City of Chicago. This is a practice which is done in all construction areas.

As stated, the land being developed by Land and Lakes Company is virgin property; however, plats show that the land was of such nature that it was bisected by power lines and streets. As the area to the west of our property has been filled by the Port Authority, drainage problems have occurred not only along Stony Island Avenue, but also along 122nd Street. We are presently working with the authorities and the Calumet Industrial District to formulate a plan which will eliminate these drainage problems. The plan Land and Lakes Company proposes is that the only waters to flow toward Lake Calumet shall consist of rain water and such rain water run-offs. Needless to say, the quality of this water should not necessitate a NPDES permit.

If you have any questions as to this letter, or the plans of Land and Lakes Company relative to the development of the site, we would appreciate your contacting me personally or our engineer, Mr. Charles Clark in Springfield. We appreciate your understanding.

Very truly yours,

LAND AND LAKES COMPANY


James J. Cowhey, President

cc: Mr. Charles Clark
Clark Engineering Service
1317 Whittier Avenue
Springfield, Illinois 62704

Ill. Environmental Protection Agency
Mr. K. Beechely-Aurora
Mr. K. Nesburg-Maywood
Mr. B. Busch-Springfield

aml

AUG 2 REC'D

July 31, 1978

Mr. Richard Byrnes
Paxton Landfill Corporation
12201 South Oglesby
Chicago, Illinois 60623

Re: LAND & LAKES COMPANY LANDFILL
122nd & STONEY ISLAND AVENUE

Dear Mr. Byrnes:

As consultant to the Land & Lakes Company, I have been requested to contact you with regard to the pollution of the Land & Lakes Company property by water from and polluted by the Paxton Landfill.

In the course of my responsibilities to my client I have had occasion to visit the subject landfill property on several occasions, the latest on July 20, 1978, and observed the condition of the standing water on both the Paxton Landfill property and the Land & Lakes Company property separated by a dike placed by the Land & Lakes Company. I have been informed that the dike has been partially removed by the Paxton Corporation on several occasions, the latest being July 23, 1978.

Visual observations of the waters on both properties during my last visit made it apparent that the water standing on the Paxton Corporation property was grossly polluted. Inasmuch as the Land & Lakes Company has not accepted any type of waste at the Land & Lakes Company site, the pollution obviously originated with the Paxton Corporation. Further, water samples were collected from the standing water on both properties by representatives of the Illinois Environmental Protection Agency last week. I have no reason to doubt that the analyses of these samples will bear out my foregoing statements. Representatives of the Illinois Environmental Protection Agency also visited the site on July 25, 1978, and are aware of the destruction of the dike and the resultant backup of polluted water onto the Land & Lakes Company property.

The Land & Lakes Company is under no legal obligation to allow the Paxton Corporation to discharge polluted material from the Paxton Landfill onto the Land & Lakes property. Should the discharge of this polluted material to the Land & Lakes property make it impossible for them to dewater their property, or make it necessary for them to provide extensive and expensive treatment for the water prior to discharge, it is believed that this would constitute retrievable damage to the Land & Lakes Company.

Mr. Richard Byrnes

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July 31, 1978

Based upon the observations of the writer and representatives of the Illinois Environmental Protection Agency, including the analyses of samples which they have collected, there is little doubt that the source of the pollution could be proven to the satisfaction of the courts.

In view of the present legal difficulties besetting the Paxton Corporation, it would appear wise that you instruct the Paxton Corporation employees to respect the property and facilities of the Land & Lakes Company to prevent the addition of criminal trespass and destruction of property charges.

Very truly yours,



C. E. Clark, P.E.

Clark Engineering Service

CRC/ep

cc: Land & Lakes Company

: Daniel L. Haulinan

: File

July 18, 1978

Mr. Richard Byrnes
Paxton Landfill Corporation
12201 South Oglesby
Chicago, Illinois 60633

Re: Contaminated Water Entering the Property
of Land and Lakes Company

Dear Mr. Byrnes:

Confirming our telephone conversation and our frequent meetings and conversations in the past, it is again stated that Land and Lakes Company cannot and will not tolerate contaminated water entering our site from properties owned by Paxton Landfill Corporation.

Our employees have closed the dike which separates the property of Paxton and Land and Lakes Company. This dike, to my knowledge, has been opened without permission, and waters of very questionable nature have been flowing into the property controlled by Land and Lakes Company.

As you are fully aware, the water easement is the sole responsibility of Land and Lakes Company, and water emitted from it is also the responsibility of Land and Lakes Company. You may argue that this is a natural flow of water; however, no property owner is required to take contaminated water from another source. If the water at your site is treated in such manner as acceptable to the standards of the various agencies, we of course will cooperate with you in letting this water through our property.

In a meeting held with the officials of the City of Chicago, The Metropolitan Sanitary District, Interlake Steel, Paxton Landfill, and the Port Authority, Mr. Max Cohen of the Port Authority agreed to give water easements for relief of property of both Paxton Landfill and Interlake Steel. We highly suggest that you obtain your own easement as we have from the Port Authority.

Mr. Richard Byrnes
Paxton Landfill Corporation

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Land and Lakes Company has not dumped any refuse on our site as yet, and thus, any water that has been removed from the property has been accumulated over many years by run-off from other properties. Not many years ago, the property controlled by Land and Lakes Company was developed with roads and electrical services. The filling of properties to the west and to the east has blocked drainages and has collected run-off waters from other areas which has made it necessary for us to remove standing waters so that we might prepare the site for the operations as permitted and licensed by the State of Illinois and the City of Chicago.

Needless to say, we cannot and will not tolerate actions by others that may jeopardize our licenses and permits. Land and Lakes Company will take all steps necessary to insure that our operation is not jeopardized by the actions of others; and we will, of course, hold any party or parties responsible for any such actions which may jeopardize or cause damage to Land and Lakes Company's operation.

Very truly yours,

LAND AND LAKES COMPANY

James J. Cowhey
President

JJC:eml

cc: Mr. Leo F. McLennon
McLennon, Nelson, Gabriele & Nudo
Mr. Charles E. Clark
Clark Engineering Service
Mr. Daniel Houlihan
111 West Washington
Chicago, Illinois

Mr. Paul Dimock
U.S. Army Corps of
Engineers

April 28, 1977

Paxton Landfill Corporation
12201 South Oglesby
Chicago, Illinois

Re: Pumping of Water from Paxton Landfill
Site onto Property being developed by
Land and Lakes Company

Gentlemen:

An investigation made on Tuesday, April 19, at 7:30 pm established that a high volume water pump was pumping water from the Paxton site onto property being developed by Land and Lakes Company. This practice whether by mistake or otherwise must cease immediately, and by this letter you are asked to remove from the Land and Lakes Company's site those waters that have been pumped onto it.

We are well aware of the fact that there is a major drainage problem in the area, and you can be assured that Land and Lakes Company will cooperate with your company and other property owners in the area to solve the drainage problem. If you wish, you may have your engineer or supervisory personnel contact us at our office in order to work out a cooperative and mutually beneficial plan to remove waters from the lands involved.

Your early response to the instructions expressed in this letter are sincerely appreciated.

Very truly yours,

LAND AND LAKES COMPANY

James J. Cowhey
President

JJC:eml

cc: Mr. Don R. Fielding
Mr. Daniel Houlahan
Mr. Harry McDonagh
Mr. Leo McLennon

April 26, 1978

Honorable Francis Degnan, Commissioner
City of Chicago
Department of Streets and Sanitation
City Hall, Room 700
Chicago, Illinois

Re: Alderman Vrdolyak's Letter Relative to
Land and Lakes Company dated April 3, 1978

Dear Commissioner Degnan:

We have received a copy of Alderman Vrdolyak's letter addressed to you dated April 3, 1978 and also a copy of a letter from Mr. Spaeth of Bulk Terminals Company dated March 22, 1978 addressed to Alderman Vrdolyak.

After reading both letters, it is clear that there is definitely a misunderstanding or a misinterpretation of the work being performed by Land and Lakes Company in the vicinity of 122nd Street and Stony Island Avenue. Presently, we are accepting the drainage on the north side of 122nd Street even though the water is contaminated, and we have had a concillation meeting with the Metropolitan Sanitary District relative to this contaminated water which is entering our site. Although we are responsible for the quality of the water leaving our site, we are accepting the water at the present time. Of course, if the Metropolitan Sanitary District refuses us permission to accept this water, we will have no alternative but to send it back to where it came from. (It is not from our property.)

On the thirteenth of April, a meeting was held in the offices of the Chicago Port Authority. Present at that meeting were Mr. Cohen and Mr. Nyquist of the Port Authority,

Continued. . .

Commissioner Francis Degnan
Department of Streets and Sanitation

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Mr. Galley and Mr. Hak Cho of the Environmental Control Department, Mr. Whitebloom of the Sanitary District and his local inspector, Mr. Kenny and the Environmental Engineer for Interlake Steel, and a representative of the Norfolk and Western Railroad, Mr. Fielding of Greengard Engineers representing Paxton Landfill Corporation, Mr. Nudi of Paxton, and myself representing Land and Lakes Company. This meeting was called by Commissioner Poston in order to resolve the drainage and water problems in the Calumet area. Since that time, there have been subsequent meetings by the owners of the properties to the north of 122nd Street, namely Interlake Steel, Paxton Landfill Corporation, and the Norfolk and Western Railroad in order to resolve the major drainage problems.

It is stated for the record that Land and Lakes Company obtained an easement from the Port Authority last year and has proceeded when weather has permitted to install a 24 inch reinforced concrete pipe for drainage from its property, and we have aided others in the vicinity by permitting them to use this pipe.

A visual inspection of the area will readily reveal that Land and Lakes Company has done considerable work in re-establishing the drainage line along 122nd Street and Stony Island Avenue. Our Company also has spent considerable sums in removing the extensive fly dumping that has been in existence for thirty or forty years. As stated to Mr. Spaeth of Bulk Terminals and Mr. Shlossberg of EmEsCo, it is the sincere desire of Land and Lakes Company to improve the area both aesthetically and commercially.

Land and Lakes Company personnel have also done extensive work in opening the drainage courses south of 122nd Street and have on occasion worked around the clock to maintain the drainage courses in that area to avoid the flooding of 122nd Street.

Continued. . .

Commissioner Francis Dognan
Department of Streets and Sanitation

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If you have any further questions relative to this matter, please feel free to call me personally as I can assure you that Land and Lakes Company is doing its part to rectify the faults in the area.

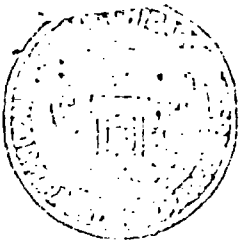
Very truly yours,

LAND AND LAKES COMPANY

James J. Cowhey
President

JC:eml

cc: Alderman Edward R. Vrdolyak
9618 South Commercial Avenue
Chicago, Illinois 60617



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER APR 5 15 30 '78

744-6072

744-6072

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BUILDINGS AND ZONING
(CHAIRMAN)

FOR

COMMITTEES AND RULES

FINANCE

POLICE, FIRE, CIVIL SERVICE, SCHOOLS
AND MUNICIPAL INSTITUTIONS

PORT OF CHICAGO
WHARVES AND BRIDGES

EDWARD R. VIDOLYAK

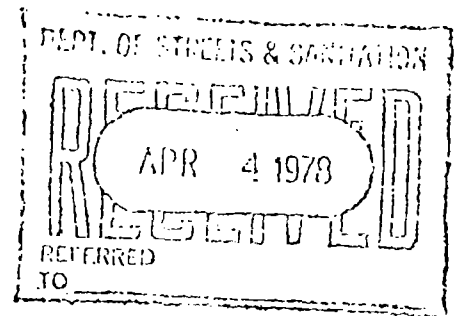
ALDERMAN, 10TH WARD

8018 S. COMMERCIAL AVE., CHICAGO, IL 60617

TELEPHONE: 374-8181

April 3, 1978

Honorable Francis Degnan
Commissioner
Department of Streets and Sanitation
City Hall - Room 701
Chicago, IL



Re: Land and Lakes blockage of drainage

Dear Commissioner Degnan:

Kindly note the enclosed letter listing specifically the problems occurring with the excessive drainage at East 122nd Street.

In an earlier letter to you (last week) we listed the problems of lack of drainage at this location, but the enclosed discusses the additional aggravation caused by the above company's detouring of the drainage.

We ask your kind consideration and attention to this problem. Many thanks for this and past courtesies.

Very truly yours,

ERV/g
Enc.